

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the One Hundredth Legislature

**1961**

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Sec. 4. Petition; contents. The petition shall identify the proceedings in which the petitioner was convicted, give the date of the entry of judgment and sentence complained of, specifically alleging valid facts that set forth grounds upon which the petition is based. The petition shall identify any previous proceedings that the petitioner has taken to secure relief from his conviction, setting forth the type of action, date, forum and the result. Argument, citations and discussion of authorities shall be omitted from the petition but may be filed as separate documents.

Sec. 5. Pleadings and procedure. Within 30 days after a copy of the petition has been received by the Attorney General from the clerk of courts, or within such further time as the court may fix, the State shall respond by answer or motion. Thereafter the court may order a hearing on the motion or issue a writ notifying the petitioner and the Attorney General of the time and place of hearing. The court may grant leave at any time prior to entry of judgment to withdraw the petition. The order making final disposition of the petition shall constitute a final judgment for the purpose of review.

Sec. 6. Waiver of claims. All grounds for relief claimed by a petitioner under this remedy must be raised by a petitioner in his original or amended petition, and any grounds not so raised are waived unless the court on hearing a subsequent petition finds grounds for relief asserted therein which could not reasonably have been raised in the original or amended petition.

Sec. 7. Review. A final judgment entered under this chapter may be reviewed by the Supreme Judicial Court sitting as a law court brought by the petitioner or the State in the same mode and scope of review as any civil action.'

Effective September 16, 1961

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## Chapter 132

### AN ACT Prohibiting Dumping of Oil Which May Pollute Waters.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 141, § 11-A, additional. Chapter 141 of the Revised Statutes is amended by adding a new section 11-A, to read as follows:

'Sec. 11-A. Dumping of oil. Oil, and a petroleum base, or materials containing significant quantities of such oil shall not be intentionally placed or deposited directly into or on banks of any river or stream, permanent or temporary, lake, pond or tidal waters or on the ice thereof where such material may fall or otherwise find its way into said watercourse or tidal waters, or shall such material be intentionally placed or deposited directly in pits, wells or on ground surfaces in such a manner that oil will percolate, seep or otherwise find access into ground waters or into wells used for the production of water.'

Effective September 16, 1961